#### BRIAN SANDOVAL Governor

#### **MEMBERS**

Jan B. Leggett, Chairman Kevin E. Burke Margaret Cavin Mason Gorda Joe Hernandez Kent Lay Guy M. Wells

#### STATE OF NEVADA



# STATE CONTRACTORS BOARD

# MINUTES OF THE MEETING December 7, 2016

#### **REPLY TO:**

Southern Nevada 2310 Corporate Circle Suite 200 Henderson, Nevada 89074 (702) 486-1100 Fax (702) 486-1190 Investigations (702) 486-1110

www.nscb.nv.gov

Northern Nevada 9670 Gateway Drive, Suite 100 Reno, Nevada 89521 (775) 688-1141 Fax (775) 688-1271 Investigations (775) 688-1150

# **CALL TO ORDER:**

Jonathan Andrews, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, December 7, 2016, State Contractors Board, Henderson and Reno, Nevada. <u>Exhibit A</u> is the Meeting Agenda and <u>Exhibit B</u> is the Sign in Log.

#### **BOARD MEMBERS PRESENT:**

Mr. Jan B. Leggett Ms. Margaret Cavin

#### STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer

Ms. Nancy Mathias, Licensing Administrator

Mr. Paul Rozario, Director of Investigations

Mr. Fred Schoenfeldt, Investigations Supervisor

Ms. Susan Kamesch, Licensing Supervisor, Reno

Ms. Bree Welch, Licensing Supervisor, Henderson

#### **LEGAL COUNSEL PRESENT:**

Mr. Jonathan Andrews, Esq.

Mr. Jack Juan, Esq.

Mr. Schoenfeldt stated the agenda was posted in compliance with the open meeting law on December 1, 2016, at the Washoe County Court House, Washoe County Library, Reno City Hall, Paseo Verde Library, Sawyer Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

## ADJUDICATING HEARING OFFICER: JAN B. LEGGETT

1. DISCIPLINARY HEARING: (Continued from October 19, 2016)

# EMILIO ORTIZ, OWNER, dba HOFFMAN PLUMBING, License No. 33558

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint received November 1, 2016.

Hearing Officer Leggett found Respondent guilty of one (1) violation of NRS 624.3016(7) misrepresentation of a material fact to obtain a license. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,522.00. The Second Cause of Action was dismissed. Fines and investigative costs are due within thirty (30) days of the December 7, 2016 hearing or license number 33558, Emilio Ortiz, Owner, dba Hoffman Plumbing shall be suspended.

## 2. FINANCIAL RESPONSIBILITY HEARING:

## CONCO CORPORATION, License No. 79982

Licensee was not present.

Hearing Officer Leggett dismissed the Board's Complaint against Conco Corporation, license number 79982.

## 3. FINANCIAL RESPONSIBILITY HEARING:

#### NORTHSTAR ALARM SERVICES, LLC, License No. 78791

Licensee was present but not represented by counsel at the hearing.

Hearing Officer Leggett ordered the Respondent to raise the licensing bond to \$10,000.00 within thirty (30) days of the December 7, 2016 hearing or license number 78791, Northstar Alarm Services, LLC shall be suspended.

4. FINANCIAL RESPONSIBILITY HEARING: (Continued from February 3, 2016, April 6, 2016, August 10, 2016, October 5, 2016)

#### ANDREA TAYLOR, OWNER, dba NEW CRETE, License No. 52100

Licensee was present and represented by Jefferson Boswell, Esq. at the hearing.

Hearing Officer Leggett continued this matter to February 2017.

## **ADJUDICATING HEARING OFFICER: MARGARET CAVIN**

<u>5. FINANCIAL RESPONSIBILITY HEARING:</u> (Continued from August 10, 2016, September 7, 2016, November 2, 2016)

#### CAPRIATI CONSTRUCTION CORP., INC., License Nos. 43705, 67940

Licensee was present and represented by A. J. Kung, Esq. at the hearing.

Hearing Officer Cavin staid her order of November 2, 2016. Hearing Officer Cavin ordered Respondent's President, David Rocchio to provide a personal indemnification agreement along with the financial form provided to the bonding company within ten (10) days of the December 7, 2016 hearing; a list of the top twenty (20) creditors from the Chapter 11 Bankruptcy with the percentage of what was paid prepetition debt within ninety (90) days of the December 7, 2016 hearing; and a post-bankruptcy reviewed financial statement that supports the license limit within 120 days of the hearing. The personal indemnification will be in effect for up to thirteen (13) months. Once the personal indemnification agreement and financial form is received at the Board offices, the license status shall be changed to Active. A future hearing date was not decided.

ADJUDICATING HEARING OFFICER: JAN B. LEGGETT

6. FINANCIAL RESPONSIBILITY HEARING: (Continued from November 2, 2016)

ABEINSA ABENER TEYMA GENERAL PARTNERSHIP, License No. 79681

Licensee was not present but was represented by Sebastian Feliceti, Chief Financial Officer and Leon Mead, Esq. at the hearing.

Hearing Officer Leggett dismissed the Board's Complaint against Abeinsa Abener Teyma General Partnership, license number 79681.

7. FINANCIAL RESPONSIBILITY HEARING: (Continued from November 2, 2016)

N. V. T. LICENSES, LLC, License Nos. 77618, 77622, 77729

Licensee was not present but was represented by Paul Larsen, Esq. at the hearing.

Hearing Officer Leggett ordered that the Respondent's licenses, numbers 77618, 77622 and 77729 remain suspended until the Respondent provides a current reviewed or audited financial statement; proof of the status update from the Secretary of State; a Change of Officer application; and the Change of Qualifier applications are approved. Once the Respondent has complied with all of the above, the license statuses will be changed to Active, Probation.

# **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Leggett at 10:46 a.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jan B. Leggett, Hearing Officer